HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 4673 of 2007

PETITIONER : Dr. R.S.Dwivedi, S/o Baikunth Prasad Dwivedi, Aged about 56 years, R/o. C/o Dr. S.K.Mishra, Veterinary Assistant Surgeon, Ambikapur, Veterinary Hospital, Ambikapur, Distt. Surguja (CG)

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, Through Secretary, Agriculture (Veterinary) Department, D.K.S. Bhawan, Raipur District Raipur (CG)

2) Director, Veterinary Services Chhattisgarh, Raipur, Distt. Raipur (CG)

3) Deputy Director, Veterinary Services, Ambikapur, Surguja, Distt. Surguja (CG)

4) Dr. M.P.Pandey, Veterinary Assistant Surgeon, Veterinary Hospital, Champa, District Janjgir-Champa (CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Manoj Paranjpe, Advocate for the petitioner.
Shri Vivek Sharma, Panel Lawyer for the State/respondents 1 to 3.

ORDER

(Passed on 29th day of August, 2007)

1. By the instant petition, the petitioner has challenged his transfer order dated 29.06.2007 (Annexure P/4) whereby he has been transferred from Artificial Insemination Centre Surajpur, Ambikapur, District Surguja to Development Block, Khadgawan, District Koria.

2. The main grievance of the petitioner is that as per the Government order dated 16.08.1999 (Annexure P/5) being a senior most Veterinary Assistant Surgeon, he is entitled for posting in a A-Grade hospital because he has completed 20 years of service, whereas, by the impugned order, he has been

posted in a B-Grade hospital, which is contrary to the Government order dated 16.08.1999.

3. At the outset, learned counsel for the petitioner submitted that the petitioner is not interested in continuing at the present place, his claim is that he should be posted anywhere in the State of Chhattisgarh in any A-Grade hospital for which he is entitled as per Government order dated 16.08.1999.

4. The prayer made by learned counsel for the petitioner appears to be just, fair and reasonable, therefore, he is allowed to make a detailed representation to respondent No. 1 within ten days from today raising all his grievances and in turn, respondent No. 1 shall decide the same within a period of 30 days from the date of receipt of the representation in accordance with law after considering all the grievances raised by the petitioner.

5. In the meantime, till the decision of the representation, the effect and operation of the impugned order dated 29.06.2007 (Annexure P/4) in respect of the petitioner herein, shall remain stayed.

6. With the direction aforesaid, the petition stands disposed of.

7. Consequently, I.A. No. 1, application for interim relief, stands disposed of.

Certified copy, in accordance with Rules.

Sd/-
Satish K. Agnihotri
Judge

Amit